IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 27955 of 2007(C)

PETITIONER:

JOHN WICKLIF.V,
NO.901407045, CISF UNIT, VSSC,
THUMBA, THIRUVANANTHAPURAM, PIN-695022.

BY ADV. SRI.G.SASIDHARAN CHEMPAZHANTHIYIL
SRI.S.VISHNU

RESPONDENTS:

1. DIRECTOR GENERAL,
CISF HEAD QUARTERS,
BLOCK NO.13, CGO COMPLEX,
LODHI ROAD, NEW DELHI-3.

2. INSPECTOR GENERAL,
SOUTH ZONE, CISF SOUTH SECTOR HQR,
CGO COMPLEX, CHENNAI.

3. COMMANDANT,
CISF UNIT, VSSC, THUMBA,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.PARAMESWARAN NAIR,
ASST.SOLICITOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.27955 of 2007 C

Dated this the 22nd day of October, 2007.

JUDGMENT

This petition was filed essentially challenging the transfer of the petitioner from Pallippuram to SCCL, Singarani in A.P. According to the petitioner, he had been treated for pulmonary problems and therefore, it would aggravate his ailment if he is posted at Singarani. The petitioner had moved for variation of the transfer order.

2. During the pendency of the writ petition, his claim has been considered by the 2nd respondent in Annexure R1(a) order passed on 5.10.2007. The petitioner's transfer to Singarani has been cancelled. Now the petitioner stands transferred to Vishakhapatanam Steel plant. In Annexure R1(a) produced along with the counter

affidavit, it is stated that, as per the service conditions, the petitioner, who is a member of the Armed Force of the Union of India, is liable to be transferred anywhere in India. Though his request for cancellation of his posting for a period of one year was rejected, nevertheless on humanitarian grounds, his posting to the CISF Unit at Singarani was cancelled and he is posted at CISF Vishakhapatanam, where family accommodation and good medical facilities are available, according to the respondents.

In circumstances where the petitioner's submission for variation of posting has been considered, at least in part, I do not find any reason to interfere any further in this writ petition. The 2nd respondent has considered and accepted the petitioner’s request, at least in

part. Recording the fact that the petitioner has been transferred as per Ext.R1(a) to Vishakhapatanam, the writ petition is disposed of.

Sd/-
(V.GIRI)
JUDGE

sk/

//true copy//

P.S. To Judge